

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

08 JAN 31 AM 9:44

SECRETARY OF THE COURT

UNITED STATES OF AMERICA,

Plaintiff,

v.

Bien Vu Hai TRAN

AKA: Vu H TRAN

Defendant.

Magistrate Case No.

08 MJ 0280

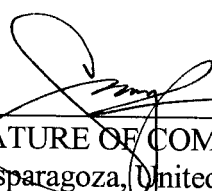
COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
1324(a)(2)(B)(iii)-
Bringing in Illegal Aliens
Without Presentation

The undersigned complainant being duly sworn states:

On or about **January 30, 2008**, within the Southern District of California, defendant **Bien Vu Hai TRAN AKA: Vu H TRAN**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **Socorro OSEGUERA-Perez**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 31st DAY OF
JANUARY, 2008.


UNITED STATES MAGISTRATE JUDGE

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PROBABLE CAUSE STATEMENT

The complainant states that **Socorro OSEGUERA-Perez** is a citizen of a country other than the United States; that said alien has admitted she is deportable; that her testimony is material; that it is impracticable to secure her attendance at trial by subpoena; and that she is a Material Witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On January 30, 2008 at approximately 5:19 AM, **Bien Vu Hai TRAN AKA: Vu H TRAN (Defendant)** made application for admission into the United States at the San Ysidro Port of Entry. Defendant was the driver and sole visible occupant of a gray 2001 Chevrolet Suburban. During pre-primary roving operations a CBP Service Canine alerted to the vehicle. Upon inspection before a Customs Border Protection (CBP) Officer, Defendant gave a negative declaration. Defendant presented his Permanent Resident Card (I-551) and a state of California Identification Card as his entry document. Defendant claimed he had owned the vehicle for two weeks and presented a vehicle registration with his name. The CBP Officer detected the vehicle registration was counterfeit and noticed the Defendant's hands were shaking. Defendant stated he was going to Orange County. A search of the vehicle revealed a non-factory undercarriage compartment. Defendant and vehicle were escorted to secondary for a more thorough inspection.

In secondary, CBP Officers discovered a modified compartment under the vehicle. CBP Officers had to remove the rear seats and carpeting in order to gain access to the compartment. Upon gaining access to the compartment, two females were discovered concealed within. The two females were determined to be citizens of Mexico without legal documents to enter the United States. One female was identified as **Socorro OSEGUERA-Perez (Material Witness)**.

During a videotaped interview, Defendant was advised of his Miranda rights. Defendant acknowledged his rights and elected to answer questions without an attorney present. Defendant admitted knowing that there was at least one alien concealed in the vehicle. Defendant admitted he was going to receive a monetary payment of \$1,000.00 USD to smuggle the alien into the United States.

On a separate videotaped interview with Material Witness she declared she is a citizen of Mexico with no legal documents to enter the United States. Material Witness stated that she was traveling to Los Angeles, California to seek employment. Material Witnesses stated she was going to pay unknown smugglers \$2,500.00 USD upon her arrival to Los Angeles.